

**ON THE PROPOSAL SUBMITTED BY DR. W. J. ARKELL
IN RELATION TO THE GENERIC NAME "ARIETICERAS"
QUENSTEDT, 1883 (CLASS CEPHALOPODA, ORDER
AMMONOIDEA)**

By JOSHUA L. BAILY, Jr.
(San Diego, California, U.S.A.)

(Commission's reference Z.N.(S.)486)

(Enclosure to letter dated 24th October, 1951)

The advisability of validating Quenstedt's name *Arieticerass* (Arkell, 1951, *Bull. zool. Nomencl.* 2: 208-210) seems to me to be somewhat questionable. I am not a specialist in this group, but as Dr. H. Engel has stated the case (1951, *Bull. zool. Nomencl.* 2: 337) it would seem to be parallel to that of Lea's name *Megasystrophia* for the suppression of which an application has already been submitted to you. In each case the author felt that a new name was not necessary at the time, and so did not use the one which he had given, but he gave it nevertheless, to meet the exigency that it might be needed in the future. This method of establishing new genera appears to me to be neither logical nor efficient nor desirable.

Not being a specialist on this group I do not ask the Commission to take action either way on this application, but I would ask that the question of whether *Megasystrophia* be validated or suppressed be considered at the same time in order that consistent results may be arrived at.

**"ANIMUS NOMINANDI" AN INDISPENSABLE REQUIRE-
MENT FOR THE CREATION OF A VALID NAME**

By OTTO HAAS
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(Commission's reference Z.N.(S.)486)

(Enclosure to letter dated 29th October, 1951)

In his comment with regard to the above reference Mr. Francis Hemming (1951, *Bull. zool. Nomencl.*, 2: 211-213) considers it irrelevant whether or not an author publishing a taxonomic name intended it to be used as such.*

Mr. Hemming's view appears, however, to be incompatible with the principle, quite generally accepted in law, that acts lacking seriousness of intention cannot produce any legal effects. Thus, Roman law requires "*animus possidende*" to make possession, or "*animus donandi*" to make a donation, legal. A mere going through the forms of donation without the true intention to donate cannot produce a legal donation.

It is believed that, similarly, what might be called "*animus nominandi*" is required for the valid creation of a taxonomic name. A name published without such intention, like *Arieticerass* Quenstedt, 1803, cannot acquire any rights under the *Règles*. Since this result follows from the general principle referred to above, no special provision to this effect—as considered, but decidedly declined by Mr. Hemming—need be introduced into the *Règles*.

* Dr. H. Engel (*ibid.*: 337) questions Dr. Arkell's conclusion that, in the case under consideration, Quenstedt clearly had no intention of validly publishing the generic name *Arieticerass*. Dr. Engel's arguments do not seem to be convincing. Anyway, the present discussion is based on Dr. Arkell's above conclusion.